

Sixth Appellate District

San Jose, California

TUESDAY, OCTOBER 12, 2004

H027182 PEOPLE v. RICO

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Mihara, J.)  
Filed October 12, 2004

H027299 IN RE KAMAL G.; DFCS v. TELICIA G.

The order of the juvenile court terminating parental rights  
is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Mihara, J.)  
Filed October 12, 2004

The Court met in its courtroom at 333 West Santa Clara  
Street, Suite 1060, San Jose, California. Present: Rushing,  
P.J.; Premo, J.; Elia, J.; and R. W. Norvelle, Deputy Clerk.

H025863 PEOPLE v. HUGHES, et al.

Cause called and argued by Gary Crooks appearing for  
Appellant Young and by Lora F. Martin appearing for Appellant  
Hughes and by Michelle J. Pirozzi, Deputy Attorney General,  
appearing for Respondent. Cause ordered submitted.

H025816 PEOPLE v. MARIO C.

Cause called and argued by Judy F. Conard appearing for  
Appellant and by Ronald E. Niver, Deputy Attorney General,  
appearing for Respondent. Cause ordered submitted.

H025899 DENEVI v. LGCC, et al.

Cause called with Gary L. Simms appearing for Appellant and  
by C. William Craycroft appearing for Respondents. Counsel waive  
oral argument and the cause is ordered submitted.

H027029 TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC. v. SUPERIOR  
COURT (LEXAR MEDIA, INC.)

Cause called and argued by Michael A. Jacobs appearing for  
Petitioner and by Christopher J. Cox appearing for Real Party in  
Interest. Cause ordered submitted.

H026343 LEE v. INTEL CORPORATION, et al.

Cause called and argued by Steven A. Ellenberg appearing for  
Appellant and by Linda E. Shostak appearing for Respondents.  
Cause ordered submitted. Court stands in recess.

Sixth Appellate District

San Jose, California

Tuesday, October 12, 2004 (continued)

H026539 JOVICH v. GREEN HILLS SOFTWARE, INC.

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: October 12, 2004

\*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and McAdams, J.

H026130 BECKER v. KAJIKURI

By the Court\*:

Appellant's motion to augment the record on appeal and petition for rehearing are denied.

Filed: October 12, 2004

\*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and McAdams, J.

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and J. Michel Casique, Deputy Clerk.

H026568 CITIZENS FOR RESPONSIBLE FOREST MGMT. v. CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION, et al.

Cause called and argued by John Davidson, Deputy Attorney General, appearing for Appellants and by Stephen Edward Velyvis appearing for Respondent. Parties to file a simultaneous three page letter brief within 15 days once the decision has been made in Supreme Court #S112862 Graham v. DaimlerChrysler Corp, at which time the cause is submitted. In any event, the cause will stand submitted on December 13, 2004.

H02540 HARTNELL COMMUNITY COLLEGE DISTRICT, et al., v. SUPERIOR COURT Of MONTEREY COUNTY (HARTNELL COLLEGE FACULTY ASSOCIATION).

Cause called and argued by William Brown appearing for Petitioners and by Michelle A. Welsh appearing for Real Party in Interest. Cause ordered submitted. Court stands in adjournment.

H026625 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Walsh, J.\*)

Filed October 12, 2004

(\*Judge of the Santa Clara Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

Sixth Appellate District

San Jose, California

Tuesday, October 12, 2004 (continued)

H027043 PEOPLE v. STAMPS

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated October 5, 2004, is hereby vacated. The court by separate letter issued October 7, 2004, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: October 12, 2004 Elia, Acting P.J.

H026865 PEOPLE v. BARBER

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated September 3, 2004, is hereby vacated. The court by separate letter issued October 7, 2004, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: October 12, 2004 Elia, Acting P.J.

WEDNESDAY, OCTOBER 13, 2004

H026265 PEOPLE v. JAFFE

Defendant's conviction on count 2 (possessing cocaine) is stricken. The drug laboratory fee of \$50, the attached penalty assessment of \$85, the \$150 drug program fee, and the attached penalty assessment of \$255 are also stricken. As so modified, the judgment is affirmed. The trial court is directed to prepare a new abstract of judgment and forward it to the Department of Corrections. (partial publication)

(Walsh, J.\*; We concur: Rushing, P.J., Premo, J.)

Filed October 13, 2004

(\*Judge of the Santa Clara Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

THURSDAY, OCTOBER 14, 2004

H026559 PEOPLE v. WILKS

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated August 3, 2004, is hereby vacated. The court by separate letter issued October 13, 2004, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: October 14, 2004 Rushing, P.J.

Sixth Appellate District

San Jose, California

Thursday, October 14, 2004 (continued)

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; McAdams, J.; Walsh, J.\*; and S. Nasson, Deputy Clerk. (\*Judge of the Santa Clara Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

H026291 GUPTA v. STANFORD UNIVERSITY, et al.

Cause called and argued by Abe Gupta, Appellant appearing in propria persona, and by Jacob Sorensen appearing for Respondents. Cause ordered submitted. Rushing, P.J. and McAdams, J. leave the bench. Premo, Acting P.J. and Bamattre-Manoukian, J. take the bench.

H026108 PEOPLE v. LIGHT

Cause called and argued by Mark Greenberg appearing for Appellant and by Allen Crown, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H026000 PEOPLE v. TRUJILLO

Cause called and argued by Neal Kimball, Deputy District Attorney, appearing for Appellant The People, by Allen Crown, Deputy Attorney General, appearing for Respondent The People, and by Michael Kresser appearing for Appellant and Respondent Trujillo. Submission of cause is deferred pending receipt of a letter from Michael Kresser requesting the matter be deferred until decision on Proposition 66.

H026548 RAGGHANTI v. REYES

Cause called and argued by Francine Tone appearing for Appellant and by Michelene Insalaco appearing for Respondent. Cause ordered submitted.

H026453 WEST-JENSEN, et al. v. WISBROD, et al.

Cause called and argued by James Hanavan appearing for Appellants and by Caleb Baskin and Rebecca Connolly appearing for Respondents. Cause ordered submitted. Court recesses until 1:30 p.m.

H026735 PEOPLE v. ZEVADA

The judgment is affirmed. (not published)  
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed October 14, 2004

Sixth Appellate District

San Jose, California

Thursday, October 14, 2004 (continued)

H026107 PEOPLE v. MEDINA

H027596 MEDINA on Habeas Corpus

The following findings are hereby stricken:

"We further find that in the commission of the offense charged above, the defendant, JOSE PEREZ MEDINA, committed a violation of Penal Code section 288 against more than one victim, within the meaning of Penal Code section 1203.066 [subdivision] (a)(7), as charged in the allegation in Count Twelve of the Information."

"We further find that in the commission of the offense charged above, the defendant, JOSE PEREZ MEDINA, had substantial sexual conduct with [Elena], and the victim was under the age of fourteen years, within the meaning of Penal Code section 1203.066 [subdivision] (a)(8), as charged in the allegation in Count 12 of the Information."

As modified, the judgment is affirmed.

The petition for a writ of habeas corpus is denied. (not published)

(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Walsh, J.\*)

Filed October 14, 2004

(\*Judge of the Santa Clara Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.

Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; McAdams, J.; and J. Michel Casique, Deputy Clerk.

H025640 PEOPLE v. ANDERSON

Cause called and argued by Erik G. Babcock appearing for Appellant and by Michelle J. Pirozzi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Court adjourns.

FRIDAY, OCTOBER 15, 2004

H027361 PEOPLE v. MCCOMBS

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)

Filed October 15, 2004

Sixth Appellate District

San Jose, California

Friday, October 15, 2004 (continued)

H025041 MARRIAGE OF BHATIA

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: October 15, 2004

\*Before Rushing, P.J., Premo, J. and Elia, J.

H025734 PEOPLE v. GARCIA

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: October 15, 2004

\*Before Rushing, P.J., Premo, J. and Mihara, J.